

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

ZOHO CORPORATION,

Plaintiff,

V.

Civil Action No. 1:22-cv-37-LY

LIBERTY PEAK VENTURES, LLC,

Defendant.

LIBERTY PEAK VENTURES, LLC,

Counterclaimant,

V.

ZOHO CORPORATION,

Counter-Defendant,

and

ZOHO CORPORATION PVT. LTD.

Third-Party Defendant.

**JOINT MOTION TO CONTINUE THE
MARKMAN HEARING AND TECHNICAL TUTORIAL**

Plaintiff/Counter-Defendant Zoho Corporation Pvt. Ltd., Third-Party Defendant Zoho Corporation, and Defendant/Counterclaimant Liberty Peak Ventures, LLC (collectively, the “Parties”), by and through their respective counsel, jointly submit this Motion to Continue the *Markman* Hearing and Technical Tutorial.

The parties jointly request that the Court continue the *Markman* hearing and technical tutorial in the above-captioned case by one week, or as soon thereafter as the Court is

available. The *Markman* hearing and technical tutorial are currently scheduled for February 21, 2023. (Dkt. 19.)

The parties have jointly agreed to take additional claim construction discovery and request the continuance to complete that discovery before the *Markman* hearing. Under the parties' agreement, Zoho reserves its right to move for leave to file supplemental claim construction briefing based on the additional discovery (and Liberty Peak Ventures reserves its right to oppose), but Zoho is not currently seeking such leave.

Accordingly, the Parties request that the Court approve the attached Order granting this Motion to Continue .

Dated: February 9, 2023

/s/ Matthew C. Acosta

Matthew C. Acosta
Texas Bar No. 24062577
macosta@pcrfirm.com
Andrew Lin
Texas Bar. No. 24092702
alin@pcrfirm.com
Nicholas C. Kliewer
Texas Bar No. 24083315
nkliewer@pcrfirm.com
PLATT CHEEMA RICHMOND PLLC
1201 N. Riverfront Blvd., Suite 150
Dallas, Texas 75207
214.559.2700 Main
214.559.4390 Fax

**COUNSEL FOR LIBERTY PEAK
VENTURES, LLC**

Respectfully submitted:

/s/ Phillip J. Haack

Phillip J. Haack (admitted *pro hac vice*)
phaack@martonribera.com
Ryan Marton (admitted *pro hac vice*)
ryan@martonribera.com
**MARTON RIBERA SCHUMANN & CHAN
LLP**
548 Market Street, Suite 36117
San Francisco, CA 94104
Telephone: (415) 360-2515

Darryl Adams
dadams@srgbfirm.com
SLAYDEN GRUBERT BEARD PLLC
401 Congress Ave., Ste. 1650
Austin, Texas 78701
Telephone: (512) 402-3550
Facsimile: (512) 402-6865

**COUNSEL FOR ZOHIO CORPORATION
AND ZOHIO CORPORATION PVT. LTD.**

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

By: /s/ Phillip J. Haack
Phillip J. Haack